

REMARKS

Reconsideration of the above-identified application is respectfully requested.

Claims 1–12 were rejected for double patenting. The patent claims a method for processing **analog** signals. Claims 1–12 recite a method for processing **digital** signals. There is no overlap, let alone identity, of claim language.

Where is the step of “digitizing the signal” in the patented claims?

Where is the step of “comparing the signal with the first voltage threshold” in claim 1? Step (c) in claim 1 compares numbers, not voltages.

It is respectfully submitted that there is no double patenting.

Claims 13 and 17 were rejected as anticipated by Weigand. Claim 13 recites “means for statistically analyzing a signal on said input without measuring amplitude or power.” The Weigand patent discloses the following in column 4, lines 17ff.

“By way of example, one appropriate VAD algorithm would use voice versus-unvoiced energy in 14-bit linear pulse code modulation samples. ...

“More specifically, such a VAD algorithm should track the average and standard deviation for the two first-order statistical procedures of the speech, i.e., the energy and rate of zero crossings. The energy  $p(n)$  is calculated over a 5 millisecond window of speech and updated at a 200 Hertz rate.”

The term “energy” is often used interchangeably with “power.” (Power is energy dissipated per unit of time.) That power was intended by patentee is indicated by the use of the term “ $p(n)$ ”. Alternatively, voltage is potential energy and one could consider “energy” to refer to voltage in the Weigand patent. This is less plausible because it is more usual to use “energy” for “power.” In any event, claim 13 specifically excludes measuring power or amplitude and, therefore, is not anticipated by the Weigand patent.

In view of the foregoing amendment and remarks, it is respectfully submitted that claims 1-17 are in condition for allowance and a Notice to that effect is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script that reads "Paul F. Wille".

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